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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 TONY CAMPBELL,

No. CIV-S-04-1292 MCE/DAD P

12 Plaintiff,

13 v.

ORDER

14 J. BAILEY, ET AL.,

15 Defendants.
16 _____/

17 Plaintiff, a state prisoner proceeding pro se, has filed
18 this civil rights action seeking relief under 42 U.S.C. § 1983.
19 The matter was referred to a United States Magistrate Judge
20 pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No.
21 262.

22 On September 14, 2005, the magistrate judge filed findings
23 and recommendations herein which were served on all parties and
24 which contained notice to all parties that any objections to the
25 findings and recommendations were to be filed within twenty days.

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1 Neither party has filed objections to the findings and
2 recommendations.

3 The court has reviewed the file and finds the findings and
4 recommendations to be supported by the record and by the
5 magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED
6 that:

7 1. The findings and recommendations filed September 14,
8 2005 are adopted in full;

9 2. Defendants' May 6, 2005 motion to dismiss is granted;
10 and

11 3. This action is dismissed without prejudice as to all
12 defendants for failure to exhaust available administrative
13 remedies prior to bringing the action.

14 DATED: November 2, 2005

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18 MORRISON C. ENGLAND, JR.
19 UNITED STATES DISTRICT JUDGE
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